

SHELLEY D. KROHN, TRUSTEE
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UNITED STATES BANKRUPTCY COURT

DISTRICT OF NEVADA

In re:

COLVIN, PARNELL, III

Case No.: BK-S-19-16459-MKN
Chapter 7

**TRUSTEE'S EX-PARTE MOTION TO
DISMISS CASE PURSUANT TO
BANKRUPTCY CODE §109(h)**

Debtor(s).

(NO HEARING REQUIRED)

The Ex-Parte Motion of Shelley D. Krohn (the "Trustee") to dismiss this case represents:

1. Debtor filed for relief under the Bankruptcy Code on 10/04/2019, and the Trustee has duly qualified and is now acting as the Chapter 7 Trustee of the estate of the above-referenced debtor.

See ECF No. 1.

2. As of January 6, 2020, the Debtor has not received Credit Counseling.

3. Bankruptcy Code §109(h)(1) states that subject to paragraphs (2) and (3) and notwithstanding any other provision of this section other than paragraph (4) of this subsection, an individual may not be a debtor under this title unless such individual has, *during the 180-day period ending on the date of filing of the petition* by such individual, received from an approved nonprofit budget and credit counseling agency described in section 111(a) an individual or group briefing (including a briefing conducted by telephone or on the Internet) that outlined the opportunities for available credit counseling and assisted such individual in performing a related budget analysis.

4. In the present case, it is clear that the Credit Counseling Certificate was not obtained

1 prior to the Chapter 7 filing as required by Bankruptcy Code §109(h).

2
3 WHEREFORE, Trustee request the Court to formally dismiss this case as the Debtor does not
4 meet the qualifications of Bankruptcy Code §109(h).


5 DATED: 1/6/2020

6 
7 Shelley D. Krohn, Trustee

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9 **DECLARATION OF TRUSTEE**

10 I declare, under penalty of perjury, that the foregoing is true and correct, to the best of my
11 knowledge, information and belief.

12 DATED: 1/6/2020

13 
14 Shelley D. Krohn, Trustee